THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.6459 of 2006

Dt.31.3.2006

Between:

P.Venkata Narasimham … Petitioner

And

District Panchayat Officer, Ongole,

Prakasam District and others

…Respondents

ORDER:

Petitioner questions the action of the District Panchayat Officer, Ongole, in passing the order in Roc.No.236/2006 (Pts) A1, dt.10.3.2006 in prohibiting the petitioner from operating the funds of General/EFC/SGRY/SFC/TFC of Gundlapalem Gram Panchayat of Gudlur Mandal, in exercise of powers under Rule 42(1) of the rules issued in G.O.Ms.No.30, P.R&R.D (Relief) Dept., dt.20.1.1995, read with G.O.Ms.No.444 P.R&R.D(Pts.III) Dept., dt.29.12.2005.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development on behalf of the respondents.

As per the amended rules issued in G.O.Ms.No.444, P.R&R.D Dept., dt.29.12.2005 the District Panchayat Officer is empowered to prohibit the Sarpanch from drawing funds for such a period and also entitled to pass interim orders. In view of the amended rules, it cannot be said that the first respondent has no power or authority to prohibit the Sarpanch from operating the said funds of the Gram Panchayat.

The writ petition is accordingly dismissed. However, if any explanation is filed, it is for the District Panchayat Officer to consider and pass appropriate orders in accordance with law. No costs.

V.ESWARAIAH, J.

31.3.2006

kpr